

A. G. Contract No. KR93-0010TRN
ECS File: JPA 93-01
Project: H 3364 01C
Section: I-10, Estrella/Pebble
Creek Parkway Resigning

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF GOODYEAR

THIS AGREEMENT is entered into 22 APR 11 1993,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
CITY OF GOODYEAR, acting by and through its MAYOR and CITY
COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The City is empowered by Arizona Revised Statutes
Section 48-572 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the City.

3. The City and the State desire to update highway
information/direction signs on I-10 to provide for the Estrella
and Pebble Creek Parkways, at an estimated cost of \$30,000.00,
all at City expense, for the safety and benefit of the motoring
public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>17501</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>04/22/93</u>
<u>Richard Mahoney</u> Secretary of State
By <u>Vincent Greenwald</u>

II. SCOPE OF WORK

1. The State will:

a. Provide and install new or replacement highway information/direction signs on I-10, generally in accordance with exhibit A, which is attached hereto and made a part hereof.

b. Invoice the City for the cost of the work, in an amount not to exceed \$33,000.00.

c. Upon completion, provide maintenance to the signs.

2. The City will:

a. Review the proposed signing changes and additions and provide comments to the State.

b. Reimburse the State for the reasonable direct actual cost of the work, in an amount not to exceed \$33,000.00, within thirty days after receipt of the invoice.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said signing and reimbursement; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the commencement of construction, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Goodyear
City Manager
119 N. Litchfield Road
Goodyear, AZ 85338

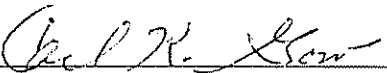
7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

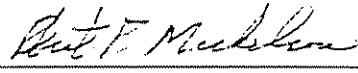
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF GOODYEAR

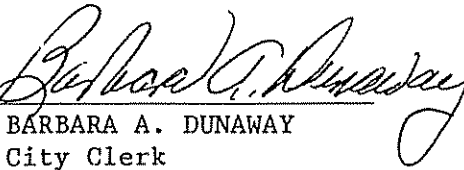
STATE OF ARIZONA

Department of Transportation

By 
CARL K. GOW
Mayor

By 
ROBERT P. MICKELSON, P.E.
Deputy State Engineer

ATTEST


By 
BARBARA A. DUNAWAY
City Clerk

JPA 93-01

RESOLUTION

BE IT RESOLVED on this 4th day of January 1993, that I, JAMES S. CREEDON, as Acting Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the City of Goodyear for the purpose of defining responsibilities for the construction and maintenance of new signing on I-10 to provide information and direction to the Estrella and Pebble Creek Parkways.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.


for JAMES S. CREEDON
Acting Director

MINUTE ORDER
EXTRACT FROM THE MINUTES OF A MEETING OF THE MAYOR AND COUNCIL
OF THE CITY OF GOODYEAR, ARIZONA.

The Mayor and Council of the City of Goodyear met in regular session in the Council Chambers at City Hall of the City of Goodyear, Arizona, at 7:30 p.m., on the 23rd day of March, 1993, all members having been notified of the time and place hereof.

PRESENT: Mayor Gow, Vice Mayor Maxwell, Mr. Leach,
Mrs. Richmond, Mr. Arnold,

ABSENT: Mr. Amator and Mr. Montgomery

Was a quorum declared? Yes: XXX No:

ACTION TAKEN:

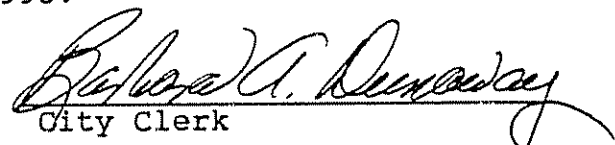
IGA WITH ADOT-ESTRELLA/PEBBLECREEK PARKWAYS SIGNAGE ON I-10

Motion by Councilmember Richmond, seconded by Councilmember Arnold, to approve an Intergovernmental Agreement with the Arizona Department of Transportation for changes in signing on Interstate 10 to reflect street name designations for Estrella and PebbleCreek Parkways, passed unanimously.

I, Barbara A. Dunaway, the duly qualified and appointed City Clerk for the City of Goodyear, County of Maricopa, State of Arizona, do hereby certify that the foregoing is a true and correct extract from the original minutes of the meeting of the Mayor and Council of said city held on the 23rd day of March, 1993, insofar as said matters relate to matters set forth in the extract above and that a quorum was present at said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said city this 6th day of April, 1993.

SEAL:

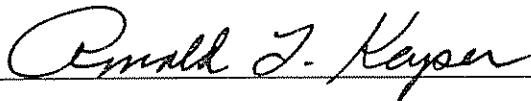

City Clerk

JPA 93-01

APPROVAL OF THE GOODYEAR CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF GOODYEAR and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 23rd day of March, 1993.



City Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR93-0010-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 19th day of April, 1993.

GRANT WOODS
Attorney General

A handwritten signature in black ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

Remove existing signs at EB MP 125.41 and WB MP 127.91. Install new "PebbleCreek/Estrella/Pkwy/1 MILE" signs with "Exit 126" panels at existing locations.

Remove existing signs at EB MP 125.91 and WB MP 126.41. Install new "PebbleCreek/Estrella/Pkwy/1/2 MILE" signs with "EXIT 126" panels at existing locations.

Remove existing signs at EB MP 126.66 and WB MP 127.07. Install new "PebbleCreek/Estrella/Pkwy/1/2 " with "EXIT 126" panels at existing locations.

Remove the existing "Estrella Pkwy" signs at EB MP 126.67 and WB MP 126.72. Install new "PebbleCreek Pkwy/Estrella Pkwy" signs at existing locations.

Modify the top two lines of legend on the sign located at WB MP 128.15 to read "Buckeye 17/Tonopah 33".*

Remove the "Estrella Pkwy →/← Reems Rd" sign opposite the end of the eastbound off ramp. Install a new "Estrella Pkwy →/← PebbleCreek Pkwy" sign at existing location.

Remove the "Reems Rd →/← Estrella Pkwy" sign opposite the end of the westbound off ramp. Install a new "PebbleCreek Pkwy →/← Estrella Pkwy" sign at the existing location.

* - No cost to Goodyear